IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO. 1580 OF 2006**
WITH
NOTICE OF MOTION NO.428 OF 2006

MUnilal Prasad Basant ..Petitioner

Vs.

The Commissioner, Caste

Scrutiny Committee, Mumbai & Ors..Respondents

Mr. R.B. Jaiswal, for the Petitioner

Mr. M. More, AGP for Respondents

CORAM: **F.I. REBELLO &**

ANOOP V.MOHTA, JJ.

DATE: 18TH AUGUST,2006

P.C.

. Rule. Heard forthwith. The petitioner has been admitted against a reserved seat. It is the case of the petitioner that the petitioner had forwarded the caste certificate to the College. Respondent No.2 instead of forwarding the caste certificate to Respondent No.1, according to the petitioner returned the same along with other papers to the petitioner. In the meantime the College also informed the petitioner that admission would be cancelled if the caste validity certificate is not produced in terms of brochure. By order dated 1st

December, 2005 ad-interim relief was granted in terms of prayer clause (b). The petitioner continues to prosecute his studies. Considering this position we direct the petitioner to forward the caste certificate along with the other relevant documents to respondent No.1 within 15 days from today. Petitioner to appear before the respondent No.1 on 7th September, 2006 at 11.00 a.m. for further directions. Respondent No.1 thereafter to decide the petitioner's claim within four months thereafter. It is made clear that the petitioner is permitted to prosecute his studies purely as an interim measure that the petitioner will not claim any equity in the event the petitioner's claim is rejected. The respondent authorities to declare the results of the examination of which the petitioner has appeared. This again will be subject to the decision of the respondent No.1. If the petitioner is declared to have passed or otherwise is entitled for admission the petitioner should be granted provisional admission subject to the decision of the respondent No.1.

. Petition disposed of accordingly.

. In view of the disposal of the main Writ Petition Notice of Motion has become infructuous. Notice of Motion disposed of as infructuous.

(F.I. REBELLO, J)

(ANOOP V.MOHTA, J.).